

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MADELINE RAMOS,

Plaintiff,

-against-

ANDREW SAUL, Commissioner of Social
Security,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
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DOC #: _____
DATE FILED: 4/30/2021

19 Civ. 10616 (AT) (KNF)

ORDER

The Court has reviewed the parties' submissions at ECF Nos. 47–49, 53. Plaintiff's motion is DENIED and the Commissioner's motion is GRANTED.

The Court's order at ECF No. 45 is AMENDED to read as follows:

Having received no objections to the Report & Recommendation (the "R&R"), ECF No. 44, of the Honorable Kevin Nathaniel Fox, the Court reviewed the R&R for clear error, and found none. *Santiago v. Colvin*, 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014).

The Court, therefore, ADOPTS the R&R in its entirety. Accordingly, Plaintiff's motion to remand is GRANTED, and this matter is REMANDED to the Commissioner under sentence six of 42 U.S.C. § 405(g). The parties' cross motions for judgement on the pleadings are DENIED as moot, without prejudice to renewal. Pursuant to sentence six of 42 U.S.C. § 405(g), this Court retains jurisdiction of this matter. Plaintiff may petition the Court for an order reinstating the case for judicial review of the Commissioner's new decision.

The Clerk of Court is directed to terminate the motions at ECF Nos. 16, 20, 27, 37–39 and close the case. The parties may request that the case be reopened within 30 days of the date of the Commissioner's final decision.

The Clerk of Court is directed to vacate the judgment at ECF No. 46, and to terminate the motions at ECF Nos. 47 and 49.

SO ORDERED.

Dated: April 30, 2021
New York, New York



ANALISA TORRES
United States District Judge